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27896 7590 03/05/2009 EDEL, SHAPIRO & FINNAN, LLC 1901 RESEARCH BOULEVARD SUITE 400 ROCKVILLE, MD 20850				
EXAMINER DUONG, THOMAS				
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DETAILED ACTION

Response to Argument

1. The Applicants' arguments filed on February 9, 2009 have been fully considered, but they are not persuasive.
2. With regard to claims 1 and 17, the Applicants point out that,
 - *A cursory review of presently pending claim 1, for example, shows that the quoted language above is not found in applicants' presently pending claims. Pending claim 1 has the steps of: "detecting an interruption in said SONET/SDH transport network responsive to a GFP loss of synchronization;" and "transmitting Ordered Sets indicative of non-operation from said first transport interface to said first Fibre Channel port so that said first Fibre Channel port performs link initialization and buffer credit recovery procedures with said second Fibre Channel port." Thus an interruption is detected in the SONET/SDH transport network, not in the "link from the local Fibre Channel port to an associated local Fibre Channel transport interface." And, the Ordered sets indicative of the SONET/SDH network non-operation are transmitted to the Fibre Channel port from its corresponding transport interface, not from one Fibre Channel transport interface over the SONET/SDH transport path to the remote Fibre Channel transport interface. The claims of the '814 patent and the present claims are not related and are certainly not obvious in light of each other.*

However, the Examiner finds that the Applicants' arguments are not persuasive because the link between the first and second Fibre Channel ports are transported over a SONET/SDH network, according to the preamble of claim 1 of the current

application. Hence, "a failure of a Fibre Channel link" would mean "an interruption in said SONET/SDH transport network".

3. With regard to claims 1 and 17, the Applicants point out that:

- A cursory review of presently pending claim 1, for example, shows that the quoted language above is not found in applicants' presently pending claims. Pending claim 1 has the steps of: "detecting an interruption in said SONET/SDH transport network responsive to a GFP loss of synchronization;" and "transmitting Ordered Sets indicative of non-operation from said first transport interface to said first Fibre Channel port so that said first Fibre Channel port performs link initialization and buffer credit recovery procedures with said second Fibre Channel port." Thus an interruption is detected in the SONET/SDH transport network, not in the "link from the local Fibre Channel port to an associated local Fibre Channel transport interface." And, the Ordered sets indicative of the SONET/SDH network non-operation are transmitted to the Fibre Channel port from its corresponding transport interface, not from one Fibre Channel transport interface over the SONET/SDH transport path to the remote Fibre Channel transport interface. The claims of the '814 patent and the present claims are not related and are certainly not obvious in light of each other.

However, the Examiner finds that the Applicants' arguments are not persuasive because transmission "to the Fibre Channel port from its corresponding transport interface" is the same as transmission "from one Fibre Channel transport interface ... to the remote Fibre Channel transport interface" since the current application and

U.S. Patent No. 7020814 specify the utilization of the SONET/SDH as the transport network.

4. With regard to claim 1, the Applicants point out that:

- *However, paragraph [0123] merely discusses Fibre Channel line encoding, including ordered sets, as part of "a detailed overview of Fibre Channel" (paragraph [0115]). There is no teaching of the applicants' "transmitting Ordered Sets" step. The applicants do not claim the mere use of Fibre Channel ordered sets nor to have invented Fibre Channel ordered sets, as the Examiner apparently believes.*

However, the Examiner finds that the Applicants' arguments are not persuasive because Smith discloses, *"Fibre Channel uses 8B/10B line encoding to improve the transmission characteristics of the link. Within the 8B/10B line encoding scheme, certain basic signals, often termed "ordered sets" are defined which identify frame boundaries, transmit primitive function requests, and maintain proper link transmission characteristics during periods of inactivity. The term "ordered set" implies in this context a series of data/control characters which, when arranged in a particular order, represent a predefined meaning within the given protocol"* (Smith, para.123). Hence, Smith teaches of maintaining proper link transmission characteristics (i.e., Applicants' performing link initialization) during periods of inactivity (i.e., Applicants' indicative of non-operation) using the "ordered sets" (i.e., Applicants' ordered sets) within the 8B/10B line encoding scheme. Smith discloses, *"Advantageously, the invention uses the buffer credit link flow control mechanism of Fibre Channel, and ESCON, to ensure that no buffer overflow occurs when handing-*

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off between the different client signal data rates and SONET/SDH payload rates"

(Smith, para.94). Hence, Smith teaches of utilizing the buffer credit link flow control mechanism of the Fibre Channel.

/Thomas Duong/
Patent Examiner, Art Unit 2445
March 3, 2009